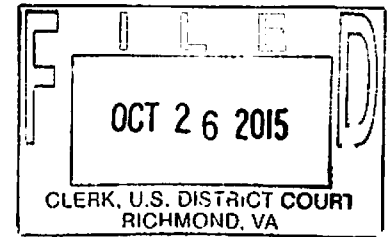


**IN THE UNITED STATES DISTRICT COURT  
FOR THE EASTERN DISTRICT OF VIRGINIA  
Richmond Division**



**ELVON PEAY,**

Plaintiff,

v.

Civil Action No. **3:15CV305**

**MR. PHILLIPS, *et al.*,**

Defendants.

**MEMORANDUM OPINION**

By Memorandum Order entered on May 29, 2015, the Court conditionally docketed Plaintiff's action. At that time, the Court warned Plaintiff that he must keep the Court informed as to his current address if he was released or relocated. By letter dated September 14, 2015, the Riverside Regional Jail informed the Court that Plaintiff had been released. (ECF No. 9.) Since that date, Plaintiff has not contacted the Court to provide a current address. Plaintiff's failure to contact the Court and provide a current address indicates his lack of interest in prosecuting this action. *See* Fed. R. Civ. P. 41(b). Accordingly, the action will be **DISMISSED WITHOUT PREJUDICE**.

An appropriate Order shall accompany this Memorandum Opinion.

Date: 10/23/15  
Richmond, Virginia

*/s/ J. A. Gibney, Jr.*  
John A. Gibney, Jr.  
United States District Judge